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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: FRANANO

Confirmation No.: 3974

Serial No.: 10/603,501

Art Unit: 1651

Filed: June 24, 2003

Examiner: Afremova, Vera

For: METHODS FOR ENLARGING  
THE DIAMETER OF AN  
ARTERY OR VEIN IN A  
HUMAN SUBJECT

Attorney Docket No.: 31110-0003

**TERMINAL DISCLAIMER**

Proteon Therapeutics, Inc, the owner of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 7,063,838 as the term of said prior patent is defined in 35 U.S.C. 154 to 156 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer or subsequently extended by any patent term extension. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on September 29, 2006 to facsimile telephone number (571) 273-8300.

Stephen S. Rabinowitz (Reg. No. 40,286)

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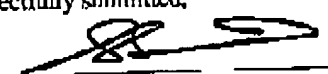
In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent as presently shortened by any terminal disclaimer or subsequently extended by any patent term extension, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer or extended by any patent term extension.

Applicant believes that the terminal disclaimer fee under 37 CFR 1.20(d) is \$65.00. Please charge the required amount to Fried, Frank, Harris, Shriver & Jacobson LLP Deposit Account No. 06-0920.

The undersigned is an attorney or agent of record.

Respectfully submitted,

Date: September 29, 2006

  
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